

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

DYSON TECHNOLOGY LIMITED	)	
and DYSON, INC.,	)	
	)	
Plaintiffs,	)	
v.	)	C.A. No. 05-434-GMS
	)	
MAYTAG CORPORATION,	)	<b>REDACTED –</b>
	)	<b>PUBLIC VERSION</b>
Defendant.	)	

**PLAINTIFFS' ANSWERING BRIEF IN OPPOSITION TO DEFENDANT'S  
MOTION *IN LIMINE* TO EXCLUDE THE EXPERT TESTIMONY  
OF PLAINTIFFS' WITNESS JAMES WIDDOWSON AND  
STRIKE HIS EXPERT REPORT UNDER *DAUBERT***

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Dated: April 23, 2007

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## I. INTRODUCTION

Maytag's motion to exclude the expert testimony of Dyson's claim substantiation expert James Widdowson should be denied.<sup>1</sup> [REDACTED]

The IEC is a global organization that creates and publishes consensus technical standards that are recognized and used by vacuum cleaner manufacturers around the world, including Maytag.<sup>2</sup>

Neither argument is persuasive.

## II. ARGUMENT

[illegible]

[REDACTED]

[illegible]

\_\_\_\_\_

[REDACTED]

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[REDACTED]

[REDACTED] Maytag itself uses of a “Cleaning Performance” index based on a variety of ASTM and non-standard testing performed on both carpeted and hardwood surfaces. *See* Widdowson 3/14/2007 Dep. 266:14-268:9 (Tab L); Press Release (Tab M). Maytag touts that the index will “End Consumer Confusion about Cleaning Performance” and will enable consumers to see how one Hoover vacuum “*compares with another in terms of true cleaning performance.*” *Id.* (emphasis added). [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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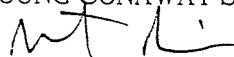
[REDACTED]

[REDACTED]

### III. CONCLUSION

For the foregoing reasons, Maytag's motion to exclude James Widdowson's expert testimony should be denied.

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**CERTIFICATE OF SERVICE**

I, Monté T. Squire, hereby certify that on April 30, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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